

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

M72006
E/sl

REINALDO E. RIVERA, J.P.
ROBERT A. LIFSON
FRED T. SANTUCCI
HOWARD MILLER, JJ.

2008-03441

DECISION & ORDER ON MOTION

In the Matter of Arthur Moskoff, deceased.
David Moskoff, appellant; George Moskoff,
et al., respondents.

(File No. 429/03)

Motion by the respondents Jawonio, Inc., and Helen Hayes Hospital Foundation to dismiss an appeal from a decree of the Surrogate's Court, Rockland County, dated March 12, 2008, on the ground that the appellant is not aggrieved by the decree. Cross motion by the appellant, inter alia, to impose a sanction upon, among others, Helen Hayes Hospital Foundation.

Upon the papers filed in support of the motion and the cross motion, the papers filed in opposition thereto and in relation to the motion, and the papers filed in opposition to the cross motion, it is

ORDERED that the motion is granted and the appeal is dismissed, without costs or disbursements, on the ground that the appellant is not aggrieved by a decree entered on stipulation (*see* CPLR 5511); and it is further,

ORDERED that the cross motion is denied.

RIVERA, J.P., LIFSON, SANTUCCI and MILLER, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 18, 2008

MATTER OF MOSKOFF, DECEASED